

November 3, 1994

**Mayor Todd called to order the meeting of the Council, noting the presence of all Council Members.**

**MINUTES APPROVED**

1. Approval of Minutes for Regular Meeting of October 20, 1994.  
**Approved on Council Member Mitchell's motion, Council Member Goodman's second, 6-0 vote, Council Member Garcia out of the room.**

**CITIZEN COMMUNICATIONS: GENERAL**

2. Mr. Shaun Stenshol - to discuss why it's important for Austin to have a 24 hours a day, 7 days a week, 365 days a year presence inside the South Texas Nuclear Plant.
3. Mr. Kirk Becker, to complain about the City's cops giving "jaywalking" tickets to the homeless when they don't give tickets for jaywalking to clubgoers or students around U.T., especially when the homeless just end up taking up needed space in the jail, and when the clubgoers and students would pay these tickets with increased revenues to the City that could be used to increase services for the homeless; and to request appointment to the Downtown Commission on behalf of the homeless.
4. Ms. Della Green, to discuss City services in East Austin.
5. Mr. Roger Baker, to discuss matters arising.
6. Ms. Molly Bean, to discuss Population Awareness Week.
7. Mr. Mark Warren, to discuss Population Awareness Week.
8. Mr. Dick Kallerman, to speak on the subject of population stabilization.
9. Ms. Pat Valls-Trelles, to discuss animal welfare issues and request Council action.  
**Not present**
10. Mr. Gus Pena, to discuss issues regarding East Austin Community, the soup kitchen and crime.
11. Mr. Joe Quintero, to discuss the soup kitchen, crime and other issues in East Austin.

**ITEMS CONTINUED FROM PREVIOUS MEETINGS**

12. Approve the designation of Butler Fields 1 and 2, and Williams Field for Girls Softball League activities only. (Council Member Eric Mitchell)  
**No action**
13. Approve negotiation and execution of a two (2) year contract with DRZ JOINT VENTURE, D.M. DUKES AND ASSOCIATES (DBE), and OZ AND ASSOCIATES, (DBE), Austin, Texas to provide recruiting and outreach services to refer small and Disadvantaged Business Enterprise (DBE) contractors to provide work for the New Airport Project (NAP), in an amount not to exceed \$432,441,

with three (3) one (1) year extension options in amounts not to exceed \$225,998, \$232,778 and \$239,762 respectively, for a total amount not to exceed \$1,130,979. (Funding was included in the 1993-94 Capital Budget for Aviation; funding for the extension options is contingent upon available funding in future budgets.) Best proposal of six (6). No M/WBE Subcontracting opportunities were identified.

**Approved**

14. Approve negotiation and execution of a two (2) year contract with MARSH & MCLENNAN, San Antonio, Texas, for administrative services for an owner controlled insurance program (OCIP), for the New Airport Project (NAP), in an amount not to exceed \$1,340,874, with three (3) one (1) year extension options, in an amount not to exceed \$737,630.67 per extension, for a total amount not to exceed \$3,553,716. (Funding was included in the 1993-94 Capital Budget for Aviation; funding for the extension options is contingent upon available funding in future budgets.) Best proposal of eight (8). DBE Subcontractor participation: 35% (35% MBE, 0% WBE)

**Approved**

**Items 13-14 approved on Mayor Pro Tem Nofziger's motion, council Member Garcia's second, with a friendly amendment offered by Council Member Goodman and accepted to include performance measurement, negotiation of costs, and if agreement cannot be negotiated to then begin negotiation with next alternate, 6-1 vote, Council Member Mitchell voting NO.**

15. Approve negotiation and execution of a two (2) year contract with ROLLINS HUDIG HALL AGENCY OF TEXAS, INC., and BONDS INSURANCE SERVICES, INC., (DBE), Dallas, Texas, to provide technical business assistance, bonding, financing and training services to small contractors and construction suppliers for the New Airport Project (NAP), in an amount not to exceed \$1,627,208, with three (3) one (1) year extension options in amounts not to exceed \$963,819 per extension, for a total amount not to exceed \$4,518,665. (Funding was included in the 1993-94 Capital Budget for Aviation; funding for the extension options is contingent upon available funding in future budgets.) Best proposal of nine (9). DBE Subcontractor participation: 84.6% (48.9% MBE, 35.7% WBE).

**Approved on Mayor Pro Tem Nofziger's motion, Council Member Garcia's second, 5-1-1 vote, Council Member Goodman voting NO, Council Member Mitchell abstaining.**

16. Amend Ordinance No. 940912-D, the 1994-95 operating budget by appropriating \$50,000 in music loan funds in the Department of Planning and Development's Special Revenue Fund for tourism promotion. **(Related to item 17)**

**Approved**

17. Authorize negotiation and execution of an agreement with KLRU-TV for tourism promotional services, including messages for broadcast on each show of Autin City Limits' 1995 season, in an amount not to exceed \$50,000. (Funding is available in

the Planning and Development Department's Special Revenue Fund.) **(Related to Item 16)**

**Approved**

**Items 16-17 approved on Mayor Pro Tem Nofziger's motion, Council Member Garcia's second, 6-0 vote, Council Member Mitchell out of the room.**

**ORDINANCES AND RESOLUTIONS**- All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

**ORDINANCES**

18. Approve third reading of the Campaign Finance Reform Ordinance. (Council Member Brigid Shea and Gus Garcia, and Mayor Pro Tem Michael "Max" Nofziger)  
**Ordinance No. 941103-I approved on Council Member Shea's motion, Council Member Garcia's second, 4-1-1 vote, Council Member Reynolds voted NO, Mayor Todd abstained, Council Member Mitchell out of the room.**
  
19. Approve second/third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 4600 block (north side) of East Riverside Drive and 1400-1900 blocks (east side) of Wickersham Lane, Case No. C14-94-0071, from "GR", community Commercial to "MF-3", Multifamily Residence (medium density) and "RR", Rural Residence, TRAVIS FUNDING CORP. (Bill Walters), by bury & Pittman (James B. Knight). First reading on July 28, 1994; Vote 6-1, Council Member Goodman voting "No". Conditions met as follows: No conditions to be met.  
**Ordinance No. 941103-A approved on Council Member Garcia's motion, Council Member Goodman's second, 6-1 vote, Council Member Goodman voting NO.**
  
20. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 3708 Woodbury Drive, Case No. C14-94-0087, from "I-SF-3", Interim Family Residence to "LI-CO", Limited Industrial Services-Conditional Overlay, w.H. RICHARDSON CO., INC. (J.C. Pollard). First reading on September 1, 1994; Vote 6-0, Council Member Garcia out of the room. Conditions met as follows: Conditional overlay incorporates conditions imposed by Council. Street deed has been executed.  
**Ordinance No. 941103-B approved**
  
21. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 44-1 Shoal Creek Boulevard, Case No. C14-94-0109, from "UNZ" Unzoned to "SF-2-CO", single Family Residence (standart lot)-Conditional Overlay, TEXAS GENERAL LAND OFFICE (Jim Crow), by Strasburger & Price (Richard T. Suttle). First reading on September 29, 1994; Vote 6-0, Council Member Mitchell out of the room.

Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council.

**Ordinance No. 941103-C approved**

**Items 20-21 approved on Council Member Garcia's motion, Council Member Goodman's second, 7-0 vote.**

22. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 4401 to 4601 East Riverside Drive, Case No. C14-94-0112, from "GR", Community Commercial to "MF-2", Multifamily Residence (low density) and "RR", Rural Residence, CHEVY CHASE SOUTH LTD. NO. 1 C/O WADSWORTH PROPERTIES (R.B. Wadsworth), by Espey, Huston & Associates, Inc. (Stephen Ramsey). First reading on September 29, 1994; vote 5-1, council Member Goodman voting "No" and Mayor Pro Tem Nofziger out of the room. Request: the applicant requests that Council modify the condition relating to fiscal posting, deferring the fiscal to the site plan stage.

**Second reading approved on Council Member Garcia's motion, Council Member Goodman's second, 6-1 vote, Council Member Goodman voting NO.**

23. Amend the Austin City Code by modifying the Basic Traffic Ordinance Section 16-4-4, (E), speed Limits, for the installation of a 25 mph school zone on West 5<sup>th</sup> Street for students attending Austin High School. (Funding in the amount of \$1,000 for is available in the 1994-95 Child Safety Fund for the Department of Public Works and Transportation.

**Postponed until November 17, 1994**

24. Repeal Ordinance declaring the necessity for and ordering the Pving Assessments for Travis County improvements to Burluson Road, Brodie Lane, and Riddle/Slaughter Lane, Segment One. (No fiscal impact.)

**Ordinance No. 941103-D approved**

25. Authorize acceptance of \$8,195 in grant funds from the Mental health Association in Texas for the AmeriCorps Parenting Education Program, amend Ordinance No. 940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating \$8,195 for the health and Human Services Department special revenue fund. (City's match of \$5,974 is available in the 1994-95 operating budget of the Health and Human Services Department.)

**Ordinance No. 941103-E approved**

26. Amend Ordinance No. 940912-D, the 1994-95 operating budget, for the General Fund by adding 5.0 Full-time Equivalent (FTE) positions for the School-Based Clinic program in the Health and Human Services Department. (Funding is available in the 1994-95 operating budget of the Health and Human Services Department.)

**Ordinance No. 941103-F approved**

**Items 24-26 approved on Council Member Garcia's motion, Council Member Goodman's second, 7-0 vote.**

27. Amend Ordinance 940912-E, the 1994-95 Capital Budget of the Parks and Recreation Department by declaring all approved projects within Proposition 23 of the 1984 bond election complete, and transferring the remaining balance (\$115,283) of these projects and \$9,717 from the Deep Eddy Pool Repair project to the new project, Pool chlorination. Total new appropriation for Pool Chlorination \$125,000; amend Ordinance 940912-D, the 1994-95 operating budget, by reducing the General Fund Contingency Reserve by \$175,000 and increasing the appropriation for the Parks and Recreation Department General Fund by \$175,000. (Recommended by Planning Commission)  
**Postponed until November 17, 1994**
28. Approve first reading of a franchise to metro Access network, Inc. for a term of seven (7) years with a three (3) year renewal option, to provide "competitive access" communication services, and install permanent facilities in the City's rights-of-way. (Recommended by Council Committee for Telecommunications Infrastructure)  
**First reading approved on Council Member Garcia's motion, Council Member Reynolds' second, 5-0 vote, mayor Pro Tem Nofziger out of the room, Council Member Mitchell absent.**
29. Amend Ordinance No. 940912-D, the 1994-95 operating budget by increasing General Fund Parking Violation Fine revenue by \$125,000, increasing the appropriation for the Municipal Court by \$62,500, and increasing the General Fund Ending balance by \$62,500.  
**Postponed until November 17, 1994**
30. Authorize acceptance of \$4,500 in grant funds from the Texas Department of transportation for participation in a study called "Evaluation and Support of Retroreflectivity of Pavement Markings", amend Ordinance No.940912-D, the 1994-95 operating budget, amending the Special Revenue Fund by appropriating \$4,500 for the Public Works and Transportation Department for study expenses. (Related to Item 31)  
**Ordinance No. 941103-G approved**

**RESOLUTIONS**

31. Authorize an interlocal Agreement with the Texas Department of Transportation for the City's participation in a study called "Evaluation and support of Retroreflectivity of pavement Markings." (Funding in the amount of \$4,500 is provided by the Texas Department of Transportation.) (Related to item 30)  
**Approved**

**Items 30-31 approved on Council Member Garcia's motion, Council Member Goodman's second, 7-0 vote.**

32. Approve negotiation and execution of a twelve (12) month revenue contract with MUNICIPAL SERVICES BUREAU, Austin, Texas, for the collection of delinquent Municipal Court criminal parking tickets, for an estimated net revenue of \$62,500. (Estimated net revenue of \$125,000 is included in the 1994-95 General Fund revenue; \$62,500 in commission costs is included in the 1994-95 operating budget of Municipal Court, resulting in \$62,500 in net revenue to the 1994-95 General Fund ending balance.) **(Related to item 29)**  
**Postponed until November 17, 1994**
33. Approve negotiation and execution of a twelve (12) month revenue contract with MERCHANTS & PROFESSIONAL CREDIT BUREAU, Austin, Texas, for the collection of delinquent Brackenridge Hospital's accounts receivables, for an estimated net revenue of \$703,613.57, with up to two (2) additional twelve (12) month extension options, in the estimated revenue of \$703,613.57 per extension, for a total estimated revenue of \$2,173,340.71. (Estimated revenue is included in the 1994-95 operating budget of Brackenridge Hospital.)  
**Approved**
34. Approve execution of a three (3) month extension of an existing contract with KIMBERLY QUALITY CARE, Austin, Texas, for parenteral and enteral services (assists homebound clients with intravenous therapies), in an amount not to exceed \$50,000. (Funding in the amount of \$31,500 is available in the 1994-95 operating budget and \$18,500 is available in the Special Revenue Fund of the Health and Human Services Department.)  
**Approved**
35. Approve negotiation and execution of a twelve (12) month contract with RADIOLOGY CONSULTANTS, INC. to provide professional x-ray interpretation services at Brackenridge Hospital, in the amount of \$289,500 with two (2) renewal options in an amount not to exceed \$316,200 for a total three (3) year contract amount of \$951,200. (Funding in the amount of \$267,000 is available in the 1994-95 operating budget of the Health and Human Services Department. Funding in the amount of \$22,500 is available in the 1994-95 Federally Qualified health Centers operating budget of the Health and Human Services Department. Funding for the renewal options is contingent upon available funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified.  
**Approved**
36. Approve negotiation and execution of a twelve (12) month contract with AUSTIN PATHOLOGY ASSOCIATES, Austin, Texas, for pathology services at Brackenridge hospital, in the amount of \$378,000 with two (2) renewal options in an amount not to exceed \$415,800 for the first renewal and in an amount not to exceed \$475,400 for the second renewal option, for a total three (3) year contract

amount of \$1,251,200. (Funding in the amount of \$378,000 is available in the 1994-95 operating budget of the Health and Human Services Department. Funding for the renewal options is contingent upon available funding in future budgets.) Sole Source. No M/WBE Subcontracting opportunities were identified.

**Approved**

37. Approve execution of a contract with LONGHORN DISPOSAL COMPANY, Austin, Texas, for the transporting of up to 6,500 cubic yards of excess sludge, which is part of the Hornsby Bend beneficial sludge reuse program, in an amount not to exceed \$48,750. (funding is available in the 1994-95 operating budget of the Water and Wastewater utility.) Low bid of two (2). No. M/WBE Subcontracting opportunities were identified. (Recommended by the Water and Wastewater Commission)

**Approved**

38. Approve execution of a twelve (12) month supply agreement with AUSTIN CRUSHED STONE COMPANY, Austin, Texas, for the purchase and delivery of 16,500 tons of flexible base used for the repair of water and wastewater pipe lines, in an amount not to exceed \$87,890 with two (2) twelve (12) month extension options in an amount not to exceed \$87,890 per extension option, for a total amount not to exceed \$263,670. (Funding is available in the 1994-95 operating budget of the Water and Wastewater Utility) Low bid of two (2). 10% MBE, 0% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)

**Approved**

39. Approve execution of a contract with THE TRANE COMPANY, Austin, Texas, for the retrofit of two (2) Trane Centrifugal chillers located at Waller Creek Center, and the purchase of two (2) Unit Control Panels for monitoring refrigerant concentration in the chiller equipment, for a total amount of \$93,364. (Funding is available in the 1994-95 operating budget of the Water and Wastewater Utility.) Sole Source. No M/WBE Subcontracting opportunities were identified. (Recommended by the Water and Wastewater Commission)

**Approved**

40. Approve negotiation and execution of amendment #2 to the contract with TATE INTEGRATED SYSTEMS L.P. Owings Mills, Maryland, to provide electrical control panels and additional training for the process control system that is being installed at the South Austin Regional Wastewater Treatment Plant, in an amount not to exceed \$331,157, for a total contract amount of \$1,262,346. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) 10% MBE, 5% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)

**Approved**

41. Authorize negotiation and execution of First Amendment to "Agreement Regarding the Dissolution of Davis Springs MUD and the Construction of Improvements to the City of Austin's water and Wastewater Systems in the Davis Springs Area" setting forth terms and conditions for construction of 24" water main extension approximately 1880' from the intersection of Parmer Lane and Neenah Drive to Cassandra Drive and for reimbursement to Davis Spring Properties, Ltd. Of actual costs for design, engineering, construction and inspection of same in the estimated amount of \$177,615.20 (Cost reimbursement will be in quarterly repayments of an amount equivalent to Water and Wastewater Capital Recovery Fees collected for connections made within the development up to the actual costs estimated at \$177,615.20 or an amount equal to Capital Recovery Fees collected during a 15-year term. Funding for future annual requirements associated with the amendment of the Davis Springs water improvements will be budgeted in the Utility's Approach Main Expense Account.) (Recommended by the Water and Wastewater Commission)

**Approved**

42. Authorize negotiation and execution of a Wholesale Water Service Contract with Travis County Water Control and Improvement district #14. (Estimated revenue in the amount of \$230,478 was included in the 1994-95 operating budget.) (Recommended by the Water and Wastewater Commission)

**Approved**

43. Approve Change order #6 to BASIC CONSTRUCTORS, INC., Houston, Texas, for final quantity adjustments as part of the filter complex improvements at the Ullrich Water Treatment Plant, in the amount of \$18,920.62, for a total contract amount of \$1,360,318.69. (Funding was included in the 1992-93 amended Capital budget of the Water and Wastewater Utility.) 100% MBE, 0% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)

**Approved**

44. Authorize negotiation and execution of Supplemental Amendment #4 to the Professional Services Agreement with TURNER COLLIE & BRADEN, INC., Austin, Texas, for the Govalle and South Austin regional Wastewater Treatment Plants Dechlorination Improvements Projects, in the estimated amount of \$34,000, for a total contract amount of \$585,951.82. (Funding was included in the 1991-92 approved Capital budget of the Water and Wastewater Commission)

**Approved**

45. Approve the selection of DANNENBAUM ENGINEERING CORPORATION, Austin, Texas, for Phase I (preliminary engineering) of a three phase professional services agreement to provide engineering, planning, and associated services for the U.S. 183 at R.M. 620 area Water and Wastewater Service Improvements project, in the estimated amount of \$190,000. (Funding was included in the 1991-92 Capital budget of the Water and Wastewater Utility.) Best qualification statement of nine

(9). 10% MBE, 7% WBE Subcontractor participation. (Recommended by the Water and Wastewater Commission)

**Approved**

46. Approve execution of a contract with VULCAN SIGNS, INC., Foley, Alabama, for the purchase of flat aluminum sign blanks used for the fabrication of traffic control signs, in the amount of \$49,409. (Funding is available in the 1994-95 operating budget of the Public Works and Transportation Department.) Low bid of four (4). No M/WBE Subcontracting opportunities were identified.

**Approved**

47. Approve a construction contract award to SMITH CONTRACTING COMPANY, Austin, Texas for the construction of (6) erosion control projects (Lanier Channel, Mariposa Channel, Longbow Channel, Penny Street Channel, West 49<sup>th</sup> St. Channel, East and 40<sup>th</sup> Street Channel), in the amount of \$321,230. (Funding was included in the 1994-95 Capital budget of the Drainage utility Fund.) Low bid of five (5). 9.96% MBE, 6.67% WBE Subcontractor participation.

**Approved**

**Items 33-48 approved on Council member Garcia's motion, Council Member Goodman's second, 7-0 vote.**

48. Approve Change Order No. 6 to MCGINNES BROTHERS, INC., Houston, Texas, for channel improvements on Shoal Creek from White Rock Drive to Northwest Park, in the amount of \$48,173.05, for a total amount of \$1,178,520.75. (Funding was included in the 1992-93 Capital budget of the Drainage Utility.) 31.69% MBE, 0% WBE Subcontractor participation.

**Approved**

49. Approve a construction contract award to HILMAN CONSTRUCTORS, INC., Austin, Texas, for improvements to the Austin History Center, located at 810 Guadalupe Street, in the amount of \$1,153,865. (Funding was included in the 1992-93 Capital Budget of the Library Department.) Low bid of five (5). 3.54% MBE, 2.7% WBE Subcontractor participation.

**Postponed until November 17, 1994**

50. Approve a construction contract award to HILMAN CONSTRUCTORS, INC., Austin, Texas, for renovations to the Robert Mueller Municipal Airport Terminal Building, in the amount of \$259,127. (Funding was included in the 1993-94 Capital Budget for the Department of Aviation). Low bid of three (3). 25.5% MBE, 16.39% WBE Subcontractor participation.

**Approved on Council Member Garcia's motion, Council Member Goodman's second, 7-0 vote.**

51. approve a construction contract award to AUSTIN BRIDGE & ROAD, Austin, Texas, for rehabilitation of the Robert Mueller Municipal Airport East Perimeter Road pavement, in the amount of \$89,859.80 (funding was included in the 1993-94 Capital budget of the Aviation Department.) Low bid of five (5). DBE Subcontractor participation 31.5%: 25.69% MBE, 5.81% WBE. (Reviewed by the Airport Advisory Board)  
**Postponed until November 17, 1994**
52. Approve a construction contract award to INDUSTRIAL CONSTRUCTION, CO., (MBE), Universal City, Texas, for construction of curb ramps in the Central Business District to comply with the Americans with Disabilities Act (ADA), in the amount of \$196,980. (Funding was included in the 1994-95 Capital Budget of the Department of Public Works and Transportation.) Low bid of eight (8). 3.58% MBE, 2.44% WBE Subcontractor participation.  
**Postponed until November 17, 1994**
53. Approve the selection of ARCHITECTURE + PLUS HINMAN HALFORD & WINTEROWD JOINT VENTURE, (WBE), Austin, Texas, for negotiation and execution of a contract to provide design and construction phase architectural/engineering services for Dick Nichols Park pool and bathhouse, in the amount of \$180,000. (Funding was included in the 1993-94 Capital Budget of the Parks and Recreation Department.) Best proposal of three (3). 10% MBE, 5.50% WBE Subcontractor participation.  
**Approved**
54. Authorize negotiation and execution of a License Agreement with Charles H. & Dorothy Riddlehuber, McAllen, Texas, to construct and maintain a driveway crossing and to close two (2) driveway crossings across the Giddings-to-Llano Railroad Right-of-Way just north of the City of Leander, Texas. (No fiscal impact.)  
**Approved**
55. Authorize negotiation and execution of a License Agreement with Charles H. & Dorothy Riddlehuber, McAllen, Texas to construct and maintain a driveway crossing across the Giddings-to-Llano Railroad Right-of-Way just north of the City of Leander, Texas. (No fiscal impact.)  
**Approved**
56. Authorize negotiation and execution of a License Agreement with Dr. Allan C. Baum, Houston, Texas, to use and maintain an existing driveway crossing across the Giddings-to-Llano Railroad Right-of-Way east of the City of Bertram. (No fiscal impact.)  
**Approved**
57. Authorize execution of the Third Amendment to Mental health Unit agreement between Travis County and the City of Austin to extend the term through September 30, 1995, in the amount of \$93,500 per extension option, for a total

amount of \$561,000. (Funding is available in the 1994-95 operating budget of the Police Department. Funding for the extension options is contingent upon available funding in future budgets.)

**Approved**

58. Approve execution of a twelve (12) month contract with EBSCO SUBSCRIPTION SERVICES, Dallas, Texas, for subscription services for serial publications for the Library Department, in an amount not to exceed \$124,429 with two (2) twelve (12) month extension options in an amount not to exceed \$124,429 per extension, for a total amount not to exceed \$373,287. (Funding in the amount of \$118,829 is available in the 1995 operating budget of the Library Department and funding in the amount of \$5,600 is available in the 1995 special revenue fund of the Library Department. Funding for the extension options will be contingent upon available funding in future budgets.) sole bid. No M/WBE Subcontracting opportunities were identified.

**Approved**

59. Approve execution of a twelve (12) month contract with EBSCO SUBSCRIPTION SERVICES, Dallas, Texas, for subscription services for serial publications for the Library Department, in an amount not to exceed \$124,429 with two (2) twelve (12) month extension options in an amount not to exceed \$124,429 per extension, for a total amount not to exceed \$373,287. (Funding in the amount of \$118,829 is available in the 1995 operating budget of the Library Department and funding in the amount of \$5,600 is available in the 1995 special revenue fund of the Library Department. Funding for the extension options will be contingent upon available funding in future budgets.) Sole bid. No M/WBE Subcontracting opportunities were identified.

**Approved**

60. Award a contract with CALCOMP, INC., Houston, Texas, for the purchase of a Color electrostatic Plotter to be used by the Planning and Development Department, in an amount not to exceed \$54,003. (Funding is available in the 1993-94 operating budget of the Planning and Development Department.) Low bid of seven (7) meeting specifications. No M/WBE Subcontracting opportunities were identified.

**Approved**

61. Authorize the dissolution of the Elisabet Ney Museum Advisory Board of Directors. (No fiscal impact.)

**Approved**

62. Approve issuance of a Request for Proposal in response to Council resolution requesting an independent management and operational audit of the Electric Utility.  
**Approved on Council Member Reynolds' motion, Council Member Shea's second, 6-0 vote, council Member Mitchell absent.**

**ITEMS FROM COUNCIL**

63. Set a public hearing on the development and implementation of a plan for the Central Urban Redevelopment (CURE) proposal. (Suggested date and time: December 1, 1994 at 5:30 p.m.) (Council Members Eric Mitchell and Ronney Reynolds)  
**Date and time changed to December 8, 1994 at 5:45 p.m. approved on Council Member Garcia's motion, Council Member Goodman's second, 7-0 vote.**
64. Approve a resolution directing the City manager to issue a Request for Proposal to enter into a partnership with the City to construct and manage an advanced telecommunications network in partnership with the City. (Council Committee for Telecommunications Infrastructure)  
**Approved on Council Member Goodman's motion, Council Member Garcia's second, 6-0 vote, council Member Mitchell absent.**
65. Approve the negotiation and execution of an Agreement for the Donation of Artwork with Capital Area Statues, Inc., for donation, installation and maintenance of a new statue of J. Frank Dobie, Roy Bedichek and Walter prescott Webb in Zilker Park. (Recommended by Arts Commission and Parks Board) (Mayor Bruce Todd and mayor Pro Tem Michael "Max" Nofziger)  
**Approved**
66. Approve a resolution requesting that AISD, ACC and the County waive any building use fees in connection with public hearings held by the Austin Cable Commission to determine the Community's cable related needs. (Council Committee for Telecommunications Infrastructure)  
**Approved**
67. Set a public hearing on sidewalk cafes. (Suggested date and time: December 8, 1994 at 5:30 p.m.) (Downtown Subcommittee)  
**Approved**
- Items 65-67 approved on Council Member Garcia's motion, Council Member Goodman's second, 7-0 vote.**

#### **4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES**

68. C14-93-0094 - SLUMBERLAND MEMORIAL PARK/MARTHA RIEGER, ET AL (Frank Scofield), by Strasburger & Price (David B. Armbrust), 133313-13521 N. IH-35 Frontage Road NB. From SF-2 & IP to CS-1 & GR. Planning Commission Recommendation: To grant GR-CO subject to the following: Floor-to-area ratios (FARs) shall be limited to: (1) 0.045 to 1.0 FAR (or 13,269 square feet) for General Retail Sales (General) and General Retail Sales (Convenience); (2) 0.0108 to 1.0 FAR (or 3,163 square feet) for Restaurant (drive-in, fast food); (3) 0.033 to 1.0 FAR (or 9,735 square feet) for Restaurant (General); (4) 0.038 to 1.0 FAR (or 11,259 square feet) for Food Sales; and (5) 0.043 to 1.0 FAR (or 12,400 square feet) for Financial Services.

**Ordinance 941103-H approved**

69. C14-94-0056 - MELLON PROPERTIES (Blake Magee), by Graves, Dougherty, Hearon & Moody (Anne E. Vanderburg), Scofield ridge Parkway. From LR & LO to MF-3. Planning Commission Recommendation: To Grant MF-2-CO, Multifamily Residence (low density)-conditional Overlay, zoning for Tract 1 and MF-3-CO, Multifamily Residence (medium density)-Conditional Overlay, zoning for Tract 2 limited to the following conditions: Tract 1: (1) A maximum of 280 units; (2) a 50 ft. building setback on the rear property line; (3) Buildings at the 50 ft. setback line should not exceed a height of 38 ft.; (4) Prohibiting access off Winwick Way except for emergency access; Tract 2: (1) A maximum of 220 units; and (2) Prohibiting access off Winwick Way except for emergency access. A private restrictive covenant should be executed prior to third reading between the applicant and neighborhood association.

**Ordinance No. 941103-I approved**

70. C14-85-149.100.04 - MELLON PROPERTIES (Blake Magee), by Graves, Dougherty, Hearon & Moody (Anne E. Vanderburg), 700 feet west of 13100 block of Burnet Road. Request to amend the restrictive covenant. Planning Commission Recommendation: To approve the amendment to the restrictive covenant so that upon rezoning the restrictive covenant will terminate as to the described property.

**Approved**

**Items 68-70 approved on Council Member Garcia's motion, Council Member Goodman's second, 5-0 vote, Council member Shea out of the room, Council Member Mitchell absent.**

71. C14-94-0097 C14-94-0097 - PECAN GROVE J.V. II (John Foster), by JADCO (Joe DiQuinzio, Jr.), 7400 Block South Congress Ave. From DR to MF-3. Planning Commission Recommendation: To grant MF-2-CO, Multifamily Residence (low density)-Conditional Overlay, zoning, subject to the following conditions: (1) limit density to 17 units per acre; (2) provide a 50 foot undisturbed buffer along the west property line; (3) prohibit development within the floodplain; (4) prohibit access to Loganberry Lane; and (5) dedicate 90 feet of right-of-way from the existing centerline of Dittmar Drive.

**1<sup>st</sup> reading approved to prohibit access to Loganberry Lane, no access to Dittmar, RR Floodplain, 100 foot buffer along the west side of property, undisturbed buffer on Council Member Garcia's motion, Council Member Reynolds' second, 4-0-1 vote, council Member Goodman abstaining, Council Member Shea out of the room, Council Member Mitchell absent.**

72. C14-0098 - PECAN GROVE J.V. II (John Foster), by DADCO (Joe DiQuinzio, Jr.), 7400 Block South Congress Ave. From DR to MF-3. Planning commission Recommendation: To grant SF-2, Single Family Residence, zoning.

**First reading approved on Council Member Garcia's motion, council Member Reynolds second, 4-0-1 vote, Council Member Goodman abstaining, Council Member Shea out of the room, Council Member Mitchell absent.**

73. C14-94-0117 - PHILLIPS AND COPUS CREDITORS (Allen T. Jacoby), by Graves, Dougherty, Hearon & Moody (David Herndon), 5601 to 5839 S. Mo-pac Expressway NB. From DR, RR & SF-2 to MF-3. Planning commission Recommendation: To grant MF-3-CO, Multifamily Residence (Medium density) - Conditional Overlay, zoning with the provisions of the overlay as follows: (1) limit the density to 25 units per acre and (2) development of the property shall be limited to less than 2,000 vehicle trips per day.

**Postponed until November 17, 1994 at the request of applicant.**

74. C14-94-0114 - LIKELINE JOINT VENTURE (Walter A. Vacker), by Jones, Day, Reavis & Pogue (J. Bradley Greenblum), 12500 to 12700 N. F.M. 620. From GO to GR. Planning Commission Recommendation: To grant GR-CO, Community commercial-Conditional Overlay zoning subject to the recommendations of the memo from Transportation Review dated October 20, 1994; further subject to compliance with Section 13-7-21 of the Land Development Code relating to Critical Environmental features.

**1<sup>st</sup> reading approved**

75. C14-94-0115 - LAKELINE JOINT VENTURE (Walter A. Vacker), by Jones, Day, Reavis & Pogue (J. Bradley Greenblum), 12700 to 12900 N. F.M. 620. From GO to GR. Planning Commission Recommendation: To grant GR-CO, community commercial-Conditional overlay zoning subject to the recommendations of the memo from Transportation Review dated October 20, 1994; further subject to compliance with Section 13-7-21 of the Land Development Code relating to Critical Environmental features.

**1<sup>st</sup> reading approved**

**Items 74-75 approved on Council Member Garcia's motion, Council Member Goodman's second, 5-0 vote, Council Member Shea out of the room, Council Member Mitchell absent.**

#### **PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS**

76. **5:00 P.M.** - Public Hearing and selection of a name for the New Airport. (No fiscal impact.)

**Public Hearing closed on Council Member Goodman's motion, Council Member Garcia's second, 6-0 vote, Council Member Mitchell absent.**

**Mayor Pro Tem Nofziger then recognized Mayor Todd, who made a motion to name the airport Austin-Bergstrom International Airport. Mayor Todd's motion was seconded by Council Member Garcia.**

**Mayor Todd recognized Mayor Pro Tem Nofziger who made a substitute motion to name the airport Austin Peace Divident Airpark. Mayor Pro Tem Nofziger's motion was seconded by Council Member Shea. 3-1-2 vote, Council Member Garcia voting No, Council Member Reynolds and Mayor Todd abstaining, Council Member Mitchell absent.**

**Council Member Reynolds made a substitute motion to name the airport Bergstrom International Airport. Substitute motion failed as no second was made.**

**Ordinance No. 941103-J adopting the name of Austin-Bergstrom International Airport was approved on Mayor Todd's motion, Council Member Garcia's second, 6-0 vote, Council Member Mitchell absent.**

**EXECUTIVE SESSION (No Public Discussion on These Items)**

**Executive Session was held on the morning of this date.**

**Executive Session was held from 6:10 p.m. until 8:15 p.m. on Items 80-86.**

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition,, litigation and personnel matters as specifically listed on the meeting agenda. Council would take any subsequent action in the open meeting as listed on the agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item listed on this agenda.

**Staff Briefing - Section 551.075**

77. Staff briefing on the status of negotiations of a lease agreement for Brackenridge Hospital with the Austin Hospital Authority. (No City Council deliberation permitted under Section 551.075)

**Land Acquisition - Section 551.072**

78. Discuss special provisions of proposed lease agreement with Austin Hospital Authority.
79. Discuss fee simple acquisition of real property for the New Airport Project.

**Pending/contemplated litigation - Section 551.071**

80. Discuss Phillip Gutierrez, et al v. Mobil Oil Corporation, et al; Cause No. 92-04889.

81. Discuss Tanner et al v. City of Austin, et al; Cause No. 92-11228.
82. Discuss Williamson Pointe Venture v. City of Austin; Cause No. 93-09435.
83. Discuss Jerry J. Quick, et al v. City of Austin; Cause No. 92-0637.
84. Discuss of City of Austin v. Neighborhood Housing Consortium et al, in the District Court, Travis County, Texas, 29<sup>th</sup> Judicial District, Cause No. 94-03203 and City of Austin v. Robert Hilton, 53<sup>rd</sup> District Court, Cause No. 94-03002.

**Advice from Counsel - Section 551.071**

85. Seek advice regarding the repayment to the U.S. Department of Housing and Urban Development of ineligible Community Development Block Grant expenditures.
86. Discuss proposed amendments to Chapter 5-7 of the Austin City Code.

**ACTION ON THE FOLLOWING**

87. Authorize fee simple acquisition of real property located at 5006 Johnson Road, Del Valle, Texas for the New Airport Project, and associated relocation costs.

**Approved purchase price of \$135,000 and associated relocation costs of \$133,944, not to exceed \$268,944.**

88. Authorize fee simple acquisition of real property located at 5314 FM road 973 South, Del Valle, Texas, for the New Airport Project, and associated relocation costs.

**Approved purchase price of \$120,000 and associated relocation costs of \$31,656 for a total not to exceed \$151,656.**

89. Authorize fee simple acquisition of real property located at 6108 FM Road 973 South, Del Valle, Texas, for the New Airport Project, and associated relocation costs.

**Approved purchase price of \$135,990 and associated relocation costs of \$50,735, for a total not to exceed \$186,725.**

**Items 87-89 approved on Council Member Garcia's motion, Council Member Goodman's second, 7-0 vote.**

**Recessed from 6:10 p.m. until 8:15 p.m. for executive session on items 80-86.**

**ADJOURN at 9:30 p.m. on Council Member Garcia's motion, Council Member Shea's second, 6-0 vote, Council Member Mitchell absent.**

